



745 Fifth Avenue
Suite 500
New York, NY 10151
nelson.legal

Stephanie E. Niehaus
C: 440 897 1287 • O: 212 457 1668
stephanie.niehaus@nelson.legal

May 31, 2023

VIA ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *McKoy, et al. v. The Trump Corp., et al.*, Case No. 18-cv-09936 (LGS)

Dear Judge Schofield:

This firm represents non-party ACN Opportunity, LLC (“ACN”) in these proceedings. On May 26, 2023, Defendants filed redacted and unredacted versions of a memorandum in support of their motion for summary judgment [ECF Nos. 592 (under seal), 595], along with a declaration in support with multiple exhibits filed under seal [ECF Nos. 591 (under seal), 594] and redacted and unredacted versions of a Rule 56.1 Statement [ECF Nos. 593 (under seal), 596].

In their contemporaneously filed letter motion for leave to file under seal [ECF No. 589], Defendants indicate that some of this information submitted in redacted form and/or under seal is or was drawn from material that ACN designated “Confidential” in discovery. Defendants also reference information and exhibits submitted under seal or in redacted form in connection with prior briefing. *See* ECF Nos. 589, 591.

For the reasons set forth in its prior confidentiality letters (*see, e.g.*, ECF Nos. 539, 555, and 569), and pursuant to Rule I.D.3 of Your Honor’s Individual Rules and Procedures for Civil Cases, ACN respectfully requests that its Confidential discovery information submitted in connection with or referenced in Defendants’ motion papers remain sealed in the public record.

Respectfully,

A handwritten signature in black ink, appearing to read 'Stephanie Niehaus'. The signature is fluid and cursive, with the first name 'Stephanie' written in a larger, more prominent script than the last name 'Niehaus'.

Stephanie E. Niehaus

cc: All Counsel of Record (via ECF)